

PALMER BIEZUP & HENDERSON LLP

By: Michael B. McCauley (MM 7231)

140 Broadway, 46th Floor

PMB 46030

New York, NY 10005

mccauley@pbh.com

212 406 1855

Attorneys for Defendants/Third Party Plaintiffs,

Bean Dredging LLC, Bean Excavation, LLC,

and C.F. Bean LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC GROVE,

Plaintiff,

VS.

BEAN DREDGING, LLC, *et al.*

Defendants/Third-Party Plaintiffs,

VS.

GMD SHIPYARD CORP., and

BINDER MACHINERY COMPANY, LLC,

Defendants/Third-Party Defendants. :

Civ. No: 07 CV 8650(JGK)

ANSWER TO GMD SHIPYARD CORP.'S CROSS-CLAIM

Bean Dredging, LLC, Bean Excavation, LLC, and C.F. Bean, LLC, by their undersigned attorneys, Palmer Biezup & Henderson, LLP, answer the Cross-Claim of GMD Shipyard Corp. as follows:

1. Denied.
2. Denied.
3. Denied.

WHEREFORE, Bean Dredging, LLC, Bean Excavation, LLC, and C.F. Bean, LLC, demand judgment in their favor and against GMD Shipyard Corp., dismissing the Cross-Claim with prejudice, together with costs and such further relief as this Honorable Court deems appropriate under the circumstances.

Respectfully submitted,

PALMER BIEZUP & HENDERSON LLP

Dated: New York, New York
August 12, 2008

By: /s/ Michael B. McCauley
Michael B. McCauley (MM 7231)
Attorneys for Bean Dredging LLC,
Bean Excavation, LLC, and C.F. Bean LLC
140 Broadway, 46th Floor
PMB 46030
New York, NY 10005
mccauley@pbh.com
212 406 1855

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC GROVE,

Plaintiff,

vs.

BEAN DREDGING, LLC, *et al.*

Defendants/Third-Party Plaintiffs,

VS.

GMD SHIPYARD CORP., and
BINDER MACHINERY COMPANY, LLC,

Third-Party Defendants.

Civ. No: 07 CV 8650(JGK)

AFFIRMATION OF SERVICE

I, Michael B. McCauley, declare under penalty of perjury that I have served a copy of the attached Answer to Cross-Claim of GMD Shipyard Corp. upon the below-listed attorneys on August 12, 2008 via United States First-Class Mail, postage prepaid:

Michael H. Zhu, Esq.
Michael H. Zhu, Esq. P.C.
14 Wall Street, 22nd Floor
New York, NY 10005

Samuel J. Rosenthal, Esq.
Barish/Rosenthal
Three Parkway, Suite 1320
1601 Cherry Street
Philadelphia, PA 19102

Craig S. English, Esq.
Kennedy Lillis Schmidt & English
75 Maiden Lane, Suite 402
New York, NY 10038-4816

Michael J. Lenoff, Esq
Cartafalsa, Slattery, Turpin & Lenoff
One Liberty Plaza
165 Broadway, 28th Floor
New York, NY 10006

PALMER BIEZUP & HENDERSON LLP

Dated: New York, New York
August 12, 2008

By: /s/ Michael B. McCauley
Michael B. McCauley (MM 7231)
Attorneys for Bean Dredging LLC,
Bean Excavation, LLC, and C.F. Bean LLC
140 Broadway, 46th Floor
PMB 46030
New York, NY 10005
mccauley@pbh.com
212 406 1855